

SENATE BILL No. 347

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2; IC 16-44-3; IC 24-6-3-17.

Synopsis: Disclosure of additives in motor fuel. Requires the seller of motor fuel containing additives to post on each metered pump a notice that includes information concerning the: (1) name of each additive; and (2) percentage (to the nearest whole percent), by volume, of each additive. Allows the state department of health to adopt rules for inspecting and enforcing the notice requirements. Makes the failure to comply with the notice requirements a Class A infraction.

Effective: July 1, 2006.

Meeks

January 10, 2006, read first time and referred to Committee on Commerce & Transportation.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE BILL No. 347

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 16-18-2-1.7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2006]: **Sec. 1.7. "Additive", for purposes of IC 16-44-3, has the**
4 **meaning set forth in IC 16-44-3-1.6.**
5 SECTION 2. IC 16-18-2-226.5 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2006]: **Sec. 226.5. "Metered pump", for**
8 **purposes of IC 16-44-3, has the meaning set forth in IC 16-44-3-1.8.**
9 SECTION 3. IC 16-44-3-1.6 IS ADDED TO THE INDIANA CODE
10 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2006]: **Sec. 1.6. (a) As used in this chapter, "additive" means any**
12 **substance, other than a substance composed solely of carbon or**
13 **hydrogen, that:**
14 **(1) is intentionally added to a motor fuel; and**
15 **(2) is not intentionally removed before the sale or use of the**
16 **motor fuel.**
17 **(b) The term includes ethanol (as defined in IC 5-22-5-8(c)) or**



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1 **any derivative of ethanol.**

2 SECTION 4. IC 16-44-3-1.8 IS ADDED TO THE INDIANA CODE
3 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2006]: **Sec. 1.8. As used in this chapter, "metered pump" means**
5 **a stationary pump having a meter that is capable of measuring the**
6 **amount of motor fuel dispensed through the pump.**

7 SECTION 5. IC 16-44-3-10.5 IS ADDED TO THE INDIANA
8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2006]: **Sec. 10.5. (a) This section applies to a**
10 **person that sells a motor fuel at a motor fuel outlet.**

11 **(b) A person that sells a motor fuel containing an additive must**
12 **post a notice on each metered pump. The notice must provide the**
13 **following information:**

14 **(1) The name of each additive contained in the motor fuel.**

15 **(2) The percentage (to the nearest whole percent), by volume,**
16 **of each additive contained in the motor fuel.**

17 **(c) The state department may adopt rules under IC 4-22-2**
18 **concerning the following:**

19 **(1) Methods of inspection to ensure compliance with this**
20 **section.**

21 **(2) Other matters necessary for the enforcement of this**
22 **section.**

23 **(d) A person that fails to comply with this section commits a**
24 **Class A infraction.**

25 SECTION 6. IC 24-6-3-17 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 17. Except as**
27 **provided in IC 16-44-3-10.5,** the state department may not adopt rules
28 requiring the posting of notices concerning oxygenates on or near
29 engine fuel dispensers located at retail service stations.

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